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REMARKS

Claims 1 - 40 are rejected under 35 U.S.C. § 102(e).

Applicant respectfully traverses all the outstanding rejections and requests reconsideration and withdrawal thereof in view of the above amendments and following remarks.

Amendments to the Claims

Claims 1, 9 and 14 have been amended to incorporate the feature of a keypad on the second surface (Claim 10 and specification Pg. 3, ln. 16 - 19 for example).

Claims 9 and 14 have also been amended to correct typographical errors.

Claims 10 and 11 have been cancelled without prejudice.

claim 12 has been amended to correct dependency resulting from cancelled claims.

Therefore no new matter has been added.

No amendment was made for the purpose of narrowing the scope of any claim, unless Applicant had argued herein that such amendment was made to distinguish over a particular reference or combination of references.

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Claim Rejections – 35 USC § 102

The Office Action rejects, under 35 U.S.C. § 102(e), Claims 1 - 40 over U.S. Patent No. 6,768,899 Janninck et al. (Janninck). Janninck suggests a keypad 230 portion that becomes visible in the open position 210. (col. 3, ln. 36 – 40) Janninck also suggests a selection button provided on the upper housing 120 accessible in both the closed position 110 and the open position 210. (FIG. 1, FIG. 2 and col. 3 ln. 21-30).

Independent claim 1, and similarly independent claims 9 and 14 recite a keypad carried on the second face of the second housing and a user interface disposed on the second housing wherein the user interface is accessible to the user when the second housing is in a first position, and not accessible to the user when the second housing is in a second position.

Janninck does not show or suggest a keypad carried on the second face of the second housing and a user interface disposed on the second housing wherein the user interface is accessible to the user when the second housing is in a first position, and not accessible to the user when the second housing is in a second position (closed position).

Independent claim 19 recites a user interface disposed upon said first surface of said second extending portion in a location adjacent to the resting position of a user's index finger.

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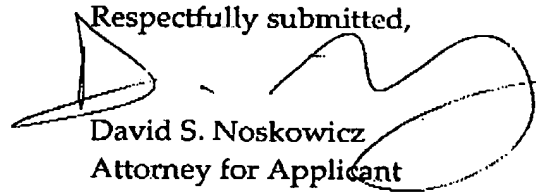
Janninck does not show or suggest a user interface disposed on the second housing wherein the user interface is in a location adjacent to the resting position of a user's index finger.

Reconsideration and withdrawal of the rejection of claims 1 - 40 under 35 U.S.C. § 102(e) as being anticipated by Janninck is respectfully requested.

CONCLUSION

The application is in condition for allowance and a favorable response at an early date is earnestly solicited. Should the Examiner have any questions, comments, or suggestions, the Examiner is invited to contact Applicants' representative at the telephone number indicated below. Please charge any fees associated herewith, including extension of time fees, to **Deposit Account 502117**.

Respectfully submitted,



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